



BRP WW 13 Renovation of Abandoned Cranberry Bogs

Instructions and Supporting Materials

Table of Contents

- introduction
- permit fact sheet
- completeness checklist
- attachment a: instructions for public notice
- DEP addresses and phone numbers
- application forms

Introduction

DEP *Permit Applications*, as well as *Instructions & Support Materials*, are available for download from the DEP Web site at mass.gov/dep in two file formats: Microsoft Word and Adobe Acrobat PDF. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permit Applications in Microsoft Word format must be downloaded separately. Users with Microsoft Word 97 or later may complete these forms electronically.

Permitting packages in Adobe Acrobat PDF format combine *Permit Applications* and *Instructions & Support Materials* in a single document. Adobe Acrobat PDF files may only be viewed and printed without alteration. *Permit Applications* in this format may not be completed electronically.



BRP WW 13 Permit Fact Sheet

1. What is the purpose of the BRP WW 13 permit?

The purpose of this permit is to allow the Department to review proposed renovation of abandoned cranberry bogs. Since most of these abandoned cranberry bogs are considered wetland resource areas, there are certain interests that these wetland areas are presumed to protect. A pre-construction review of these proposals allows the Department to consider various mitigating measures both required and proposed that protect these interests.

2. Who must apply?

For BRP WW 13: All persons who propose to renovate an eligible abandoned cranberry bog for the purpose of commercially raising cranberries. A completed application form, BRP WW 13, must be submitted to the DEP Regional Office responsible for the community in which the cranberry bog is located. The application should also include plans prepared by a registered land surveyor or professional engineer showing existing and proposed site conditions for the bog to be renovated, along with all wetland resource areas that are present on the site.

3. What other requirements should be considered when applying?

Specific information needs to be submitted as part of the application that identifies the proximity of the abandoned bog to certain resource areas. The regulations also require that an approved Natural Resources Conservation Service conservation farm plan be submitted with the application and that certain mitigation measures and best management practices be identified in the application.

Certain activities may be subject to local wetland or zoning laws and may also be subject to federal laws. Any person proposing the renovation of abandoned cranberry bogs should contact the community in which the bog is located for any local requirements. Questions on the applicability of federal wetland laws should be directed to the U.S. Army Corps of Engineers at 1-800-362-4367.

Note: These additional requirements are intended to serve as a general guide to the applicant. They are not necessarily all additional requirements.

4. What is the application fee?

For BRP WW 13, Renovation of Abandoned Cranberry Bogs, the application fee is \$640.00

5. What is the Primary Permit Location? What is the Reserve Copy Location?

Primary Permit Location:

BRP WW 13 permit applications should be submitted to the DEP Regional Office responsible for the community in which the cranberry bog is located.

Department of Environmental Protection
Watershed Permitting Program, Wetlands Section
_____ * Regional Office

* See "Addresses and Phone Numbers" page included in this package.

Reserve Copy Locations:

There are no Reserve Copy Locations for these permits.



BRP WW 13

Permit Fact Sheet

6. What are the timelines?

Projects for which **BRP WW 13** applications are filed and fees received on or after November 14, 1997 are subject to the following timelines:

Administrative Completeness Review

Within **30** days of receipt of an application and payment of the permit application fee, the Department shall complete an administrative completeness review.

Technical Review

Within **90** days of the close of public comment or administrative completeness period or public hearing, if any, whichever occurs later, the Department shall complete a technical review.

Supplemental Technical Review (only if needed)

Within **90** days of receipt of materials from the applicant in response to a Department notice of deficiency, the Department will complete a supplemental technical review.

7. What is the annual compliance fee?

There is no annual compliance fee for **BRP WW 13** approvals.

8. How long is this approval in effect?

A **BRP WW 13** permit is in effect for five years, and may be extended for no more than 3 years for just cause.

9. How can I avoid the most common mistakes made in applying for this approval?

- a. Be sure that all information required for review is submitted with the application, as identified in 310 CMR 23.04(1) and the Application Completeness Checklist.
- b. In order to accurately identify the area proposed for renovation a plan prepared by a registered professional engineer or land surveyor should be included with the application.
- c. Be sure that all wetland resource areas, including the 100 year flood plain and bordering vegetated wetlands are shown on the plan.
- d. Be sure construction methods and sequence of activities are clearly described.
- e. Submit the application fee and a copy of the DEP Transmittal Form to:

Department of Environmental Protection
P. O. Box 4062
Boston, MA 02211.



BRP WW 13

Permit Fact Sheet

10. What are the regulations that apply to this approval? Where can I get copies?

The regulations include:

- a. Renovation of Abandoned Cranberry Bogs, 310 CMR 23.00.
- b. Timely Action Schedule and Fee Provisions, 310 CMR 4.00.
- c. Rules for Adjudicatory Hearings, 310 CMR 1.00.

These may be purchased at:

State Bookstore (in State House)
Room 116
Boston, MA 02133
617-727-2834



BRP WW 13 Renovation of Abandoned Cranberry Bogs Application Completeness Checklist

- ☐ The DEP Transmittal Form is completed.
- ☐ The DEP application form for permit category BRP WW 13 has been completed and the following information has been provided:
 - ☐ Item A-1, A-2; The name, address and telephone number of the landowner and person representing the landowner, if applicable.
 - ☐ Item B-1; Information to identify the location of the property on which the bog is located and additional information to identify where on the property the bog is located.
 - ☐ Item B-2; The size of the abandoned bog to be renovated.
 - ☐ Item B-3; The number of acres of abandoned cranberry bog that have been renovated by the land owner within the last three years.
 - ☐ Item B-4; The year in which the bog was abandoned and attach documentation to support this date.
 - ☐ Item B-5; Whether the land on which the abandoned cranberry bog meets the definition of land in agricultural use as contained in 310 CMR 23.02, Definitions.
 - ☐ Item B-6; A brief description and information on the proximity of the abandoned bog to the items listed here. To be eligible for renovation an abandoned cranberry bog must not be located within a Zone II of a public ground water drinking supply, a watershed of a public surface water supply, an Area of Critical Environmental Concern and must not contain a navigable stream as identified in Massachusetts General Law c. 91. In addition, an abandoned cranberry bog may not be renovated or certain restrictions apply if the renovation of the abandoned bog would affect a vernal pool, rare species, or anadromous fish run.
 - ☐ Item C; A copy of a conservation farm plan approved by the Natural Resources Conservation Service must be included with this application. In addition, provide a description of the mitigation and best management practices that will be utilized during the renovation and operation of the cranberry bog.
 - ☐ Item D; For an application to be complete, proof must be provided that the requirements for public notice have been met, either at the time of submission of the application or within ten days of submittal (see Attachment A - Instructions For Public Notice) In addition, copies of the application shall, at the same time:
 - be submitted to the conservation commission of the municipality in which the abandoned cranberry bog is located, and
 - be sent by certified mail or hand delivered to owners of abutting land within 1,000 feet of the bog restoration activity.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands & Waterways

BRP WW 13 Renovation of Abandoned Cranberry Bogs

Application Completeness Checklist

To submit the application package:

- ☐ Checklist items have been completed.
- ☐ For **BRP WW 13**: two (2) copies of the application, along with the one copy of the DEP Transmittal Form have been sent to the DEP Regional Office responsible for the community in which the cranberry bog is located.

Department of Environmental Protection
Watershed Permitting Program, Wetlands Section
_____ * Regional Office

* See "Addresses and Phone Numbers" page included in this package.

- ☐ Send fee of \$640 in the form of check or money order made payable to *Commonwealth of Massachusetts*, along with one copy of the DEP Transmittal Form to:

Department of Environmental Protection
P.O. Box 4062
Boston, MA 02211



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands & Waterways

BRP WW 13 Renovation of Abandoned Cranberry Bogs

Attachment A: Instructions For Public Notice

For an application to be considered complete, proof must be provided that the requirements for public notice have been met. The public notice must contain the information required at 310 CMR 23.04(3)(a) through (g) and must be published within 10 days of submitting the permit application. A copy of the published notice must be sent to the DEP Southeast Regional Office, 20 Riverside Drive, Lakeville, MA 02347.

Inserting required information for underlined sections, (see of address and phone numbers for DEP Regional Offices) the following Public Notice language is suggested:

Department of Environmental Protection
Watershed Permitting Program, Wetlands Section
[Address of DEP Regional Office with responsibility for the community in which the bog is located]

Public Notice

Pursuant to St. 1996 c. 258 and 310 CMR 23.00, notice is given of an application for the renovation of a [number of acres] abandoned cranberry bog owned by [name of land owner] located at [street address] in [city/town]. Additional information may be obtained from [applicant/contact person name], [address], and [telephone], or by contacting the [DEP Regional Office with responsibility for the community in which the bog is located] at [telephone number of DEP Regional Office]. A copy of the application may also be reviewed at the [city/town] conservation commission. Written comments should be sent to the Department of Environmental Protection Watershed Permitting Program, Wetlands Section, [Address of DEP Regional Office] within 21 days of this notice. Any group of ten persons of the Commonwealth or any aggrieved person who have submitted written comments may appeal the Department's decision to issue a permit for the renovation of an abandoned cranberry bog. Failure to submit written comments before the end of the public comment period may result in the waiver of any right to an adjudicatory hearing.



Addresses and Phone Numbers

DEP Boston
One Winter Street
Boston, MA 02108
Telephone: (617) 292-5500
Fax: (617) 556-1049
TDD: (617) 574-6868

William X. Wall Experiment Station
37 Shattuck Street
Lawrence, MA 01843
Fax: (978) 688-0352
Division of Environmental Analysis
Telephone: (978) 682-5237
Air Quality Surveillance
Telephone: (978) 975-1138

Office of Watershed
Management
627 Main Street
Worcester, MA 01608
Telephone: (508) 792-7470
Fax: (508) 839-3469

Millbury Training Center
Route 20 Millbury, MA 01527
Telephone: (508) 368-5600
Fax: (508) 755-9253
Residuals Sludge Management
Telephone: (508) 368-5606
WWT Operator Certification
Telephone: (508) 368-5698

DEP Western Region
436 Dwight Street
Suite 402
Springfield, MA 01103
Phone: (413) 784-1100
Fax: (413) 784-1149



Adams
Agawam
Alford
Amherst
Ashfield
Becket
Belchertown
Bernardston
Blandford
Brimfield
Buckland
Charlemont
Cheshire
Chester
Chesterfield
Chicopee
Clarksburg

Colrain
Conway
Cummington
Dalton
Deerfield
Easthampton
East Longmeadow
Egremont
Erving
Florida
Gill
Goshen
Granby
Granville
Great Barrington
Greenfield
Hadley

Hampden
Hancock
Hatfield
Hawley
Heath
Hinsdale
Holland
Holyoke
Huntington
Lanesborough
Lee
Lenox
Leverett
Leyden
Longmeadow
Ludlow
Middlefield

Monroe
Montague
Monterey
Montgomery
Monson
Mount Washington
New Ashford
New Marlborough
New Salem
North Adams
Northampton
Northfield
Orange
Otis
Palmer
Pelham
Peru

Pittsfield
Plainfield
Richmond
Rowe
Russell
Sandisfield
Savoy
Sheffield
Shelburne
Shutesbury
Southampton
South Hadley
Southwick
Springfield
Stockbridge
Sunderland
Tolland

Tyringham
Wales
Ware
Warwick
Washington
Wendell
Westfield
Westhampton
West Springfield
West Stockbridge
Whately
Wilbraham
Williamsburg
Williamstown
Windsor
Worthington

DEP Central Region
627 Main Street
Worcester, MA 01608
Phone: (508) 792-7650
Fax: (508) 792-7621
TDD: (508) 767-2788



Acton
Ashburnham
Ashby
Athol
Auburn
Ayer
Barre
Bellingham
Berlin
Blackstone
Bolton
Boxborough
Boylston
Brookfield

Charlton
Clinton
Douglas
Dudley
Dunstable
East Brookfield
Fitchburg
Gardner
Grafton
Groton
Harvard
Hardwick
Holden
Hopedale

Hopkinton
Hubbardston
Hudson
Holliston
Lancaster
Leicester
Leominster
Littleton
Lunenburg
Marlborough
Maynard
Medway
Mendon
Milford

Millbury
Millville
New Braintree
Northborough
Northbridge
North Brookfield
Oakham
Oxford
Paxton
Pepperell
Petersham
Phillipston
Princeton
Royalston

Rutland
Shirley
Shrewsbury
Southborough
Southbridge
Spencer
Sterling
Stow
Sturbridge
Sutton
Templeton
Townsend
Tyngsborough
Upton

Uxbridge
Warren
Webster
Westborough
West Boylston
West Brookfield
Westford
Westminster
Winchendon
Worcester

DEP Southeast Region
20 Riverside Drive
Lakeville, MA 02347
Phone: (508) 946-2700
Fax: (508) 947-6557
TDD: (508) 946-2795



Abington
Acushnet
Attleboro
Avon
Barnstable
Berkley
Bourne
Brewster
Bridgewater
Brockton
Carver
Chatham
Chilmark

Dartmouth
Dennis
Dighton
Duxbury
Eastham
East Bridgewater
Easton
Edgartown
Fairhaven
Fall River
Falmouth
Foxborough
Franklin

Freetown
Gay Head
Gosnold
Halifax
Hanover
Hanson
Harwich
Kingston
Lakeville
Mansfield
Marion
Marshfield
Mashpee

Mattapoisett
Middleborough
Nantucket
New Bedford
North Attleborough
Norton
Norwell
Oak Bluffs
Orleans
Pembroke
Plainville
Plymouth
Plympton

Provincetown
Raynham
Rehoboth
Rochester
Rockland
Sandwich
Scituate
Seekonk
Sharon
Somerset
Stoughton
Swansea
Taunton

Tisbury
Truro
Wareham
Wellfleet
West Bridgewater
Westport
West Tisbury
Whitman
Wrentham
Yarmouth

DEP Northeast Region
1 Winter Street
Boston, MA 02108
Phone: (617) 654-6500
Fax: (617) 556-1049
TDD: (617) 574-6868



Amesbury
Andover
Arlington
Ashland
Bedford
Belmont
Beverly
Billerica
Boston
Boxford
Braintree
Brookline
Burlington
Cambridge
Canton
Carlisle

Chelmsford
Chelsea
Cohasset
Concord
Danvers
Dedham
Dover
Dracut
Essex
Everett
Framingham
Georgetown
Gloucester
Groveland
Hamilton
Haverhill

Hingham
Holbrook
Hull
Ipswich
Lawrence
Lexington
Lincoln
Lowell
Lynn
Lynnfield
Malden
Manchester-By-The-Sea
Marblehead
Medfield
Medford
Melrose

Merrimac
Methuen
Middleton
Millis
Milton
Nahant
Natick
Needham
Newbury
Newburyport
Newton
Norfolk
North Andover
North Reading
Norwood
Peabody

Quincy
Randolph
Reading
Revere
Rockport
Rowley
Salem
Salisbury
Saugus
Sherborn
Somerville
Stoneham
Sudbury
Swampscott
Tewksbury
Topsfield

Wakefield
Walpole
Waltham
Watertown
Wayland
Wellesley
Wenham
West Newbury
Weston
Westwood
Weymouth
Wilmington
Winchester
Winthrop
Woburn



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands

BRP WW 13

Renovation of Abandoned Cranberry Bogs
310 CMR 23.00

Transmittal Number

Facility ID# (if known)

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Landowner Information

1. Landowner:

Name

Mailing Address

City/Town

State

Zip Code

Telephone Number

FAX Number

2. Landowner's Representative:

Firm Name

Contact Name

Mailing Address

City/Town

State

Zip Code

Telephone Number

FAX Number

B. Cranberry Bog Information

1. Property Location:

Street Address

City/Town

State

Zip Code

2. Property Size: _____
acres

3. Acreage renovated in last three years: _____
acres

4. Year bog was abandoned: _____

5. Is the bog on property that is actively being farmed? ☐ Yes ☐ No

6. Is the bog located within, or will its renovation affect, any of the following:

- ☐ Public Surface Water Supply
- ☐ ACEC
- ☐ Rare Species
- ☐ Anadromous Fish Run

- ☐ Zone II
- ☐ Vernal Pool
- ☐ Chapter 91 Waterway



BRP WW 13

Renovation of Abandoned Cranberry Bogs
310 CMR 23.00

Transmittal Number _____

Facility ID# (if known) _____

C. Mitigation Measures

1. Date of NRCS approved Conservation Farm Plan (please enclose farm plan with application):

Date

2. Mitigation Measures:

- | | | | |
|---|------------------------------|-----------------------------|------------------------------|
| a. Tail Water Recovery System | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| b. Bypass canal | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| c. Water intake structures | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| d. Flood control measures | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| e. Laser leveled or equivalent construction | <input type="checkbox"/> Yes | <input type="checkbox"/> No | |
| f. Anadromous fish run mitigation | <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> N/A |

3. Wildlife habitat mitigation:

- | | | |
|---|------------------------------|-----------------------------|
| a. Wildlife habitat enhancement plan | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| b. Conservation restriction | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| c. 1:1 replication of bog renovation area | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

Note: Details of wildlife habitat mitigation must be provided on plans.

4. Other Best Management Practices:

D. Notification Requirements

1. Has a copy of the application been sent to the local conservation commission?

☐ Yes ☐ No

2. Has a copy of the application been sent to Natural Heritage & Endangered Species Program?

☐ Yes ☐ No



Massachusetts Department of Environmental Protection
Bureau of Resource Protection – Wetlands

BRP WW 13

Renovation of Abandoned Cranberry Bogs
310 CMR 23.00

Transmittal Number _____

Facility ID# (if known) _____

D. Notification Requirements (cont.)

3. Has public notice been published in a newspaper of general circulation in the municipality in which the abandoned cranberry bog is located?

☐ Yes ☐ No

4. Has a copy of the public notice been sent by certified mail or hand delivered to owners of abutting land within 1,000 feet of the bog renovation activity?

☐ Yes ☐ No

E. Certification

Application is hereby made for renovation of abandoned cranberry bogs.

Landowner/Applicant's signature

Date

I certify that I am familiar with the work proposed and that to the best of my knowledge and belief the project meets the regulatory requirements of 310 CMR 23.00 and the information contained in this application and supplemental information is true, complete, and accurate.

Representative's signature

Date

For DEP Use Only

File Number:

Date Received:

___ Zone II

___ Ch 91

___ NRCS Farm Plan

___ Rare Spp

___ NHESP

___ Vernal Pool

___ DMF/ACEC

___ Water Supply

___ Fee

___ Public Notice